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41. (New) The apparatus of Claim 1, wherein the open frame comprises a grid of slats.
42. (New) The apparatus of Claim 1, wherein the open frame comprises a plurality of reliefs.
43. (New) The apparatus of Claim 1, wherein the open frame comprises a plurality of slits.

REMARKS

This Reply and Amendment is intended to be completely responsive to the Office Action dated March 28, 2002.

In the Claims

Claims 1-39 stand rejected. On entry of this Reply and Amendment, Claims 1-12, 17-30 and 38 will be amended for clarity, and new Claims 40-43 will be added to present claims of varying scope. Claims 5 and 37 have been cancelled. Accordingly, Claims 1-4, 6-36 and 38-43 are pending in this application.

The claim amendments and status of the claims are shown in Exhibit A "marked up" relative to the previous version of the claims. 37 C.F.R. § 1.121. No new matter has been added.

Claim Rejections – 35 U.S.C. § 102

On Page 2 of the Office Action, the Examiner rejected Claims 1, 6, 7, 12, 13, 17-23, 25, 26 and 28-39 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 3,093,919 ("Holtz"). The Examiner stated: "Claims 1, 6, 7, 12, 13, 17-23, 25, 26 [and] 28-39 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by [Holtz] U.S. 3,093,919."

Holtz does not identically disclose the combination of elements recited in independent Claim 1. Holtz discloses a "display device" including a "base having a smooth continuous

mounting surface” (Column 3, lines 68-69). Claim 1 (as amended) recites an “apparatus for the display of information such as a graphic or image” including, among other limitations, “a base comprising an open frame,” which is not identically disclosed in Holtz. Accordingly, independent Claim 1 (and corresponding dependent Claim 6) is not anticipated by Holtz under 35 U.S.C. § 102(b) and is patentable.

Holtz does not identically disclose the combination of elements recited in Claim 17. Holtz discloses a “display device” including a “base having a smooth continuous mounting surface” (Column 3, lines 68-69). Claim 17 (as amended) recites an “apparatus for the display of information such as a graphic or image” including, among other limitations, “a base comprising an open frame,” which is not identically disclosed in Holtz. Accordingly, independent Claim 17 (and corresponding dependent Claims 18-23, 25, 26 and 28-29) is not anticipated by Holtz under 35 U.S.C. § 102(b) and is patentable.

Holtz does not identically disclose the combination of elements recited in Claim 30. Holtz discloses a “display device” including a “base having a smooth continuous mounting surface” (Column 3, lines 68-69). Claim 30 (as amended) recites an “apparatus for the display of information such as a graphic or image” including, among other limitations, “a base comprising an open frame,” which is not identically disclosed in Holtz. Accordingly, independent Claim 30 (and corresponding dependent Claims 31-36) is not anticipated by Holtz under 35 U.S.C. § 102(b) and is patentable.

Holtz does not identically disclose the combination of elements recited in Claim 7. Claim 7 recites an “apparatus for the display of information such as a graphic or image” including, among other limitations, “at least one adhesive strip,” which is not identically disclosed in Holtz. Accordingly, independent Claim 7 (and corresponding dependent Claim 12) is not anticipated by Holtz under 35 U.S.C. § 102(b) and is patentable.

Holtz does not identically disclose the combination of elements recited in Claim 13. Holtz discloses applying a binding material “by painting, spraying, sprinkling, or by a sieve printing

machine” (Column 2, lines 24-28). Claim 13 recites a “method for constructing a graphics display,” including, among other limitations, “silk screening a magnetic receptive material onto a second surface of the graphics sheet opposite the first surface,” which is not identically disclosed by Holtz. Accordingly, independent Claim 13 is not anticipated by Holtz under 35 U.S.C. § 102(b) and is patentable.

Holtz does not identically disclose the combination of elements recited in Claim 38. Holtz discloses applying a binding material “by painting, spraying, sprinkling, or by a sieve printing machine” (Column 2, lines 24-28). Claim 38 (as amended) recites a method for preparing a display panel including, among other limitations, “applying the magnetic material with a screening process,” which is not identically disclosed by Holtz. Accordingly, independent Claim 38 (and corresponding dependent Claim 39) is not anticipated by Holtz under 35 U.S.C. § 102(b) and is patentable.

Claim Rejections – 35 U.S.C. § 103

On Page 2 of the Office Action, the Examiner rejected Claims 2-5, 7-12, 14-16, 24 and 27 under 35 U.S.C. § 103(a) “as being unpatentable over [Holtz] ‘919 as applied to Claims 1 and 13 above and further in view of’ U.S. Patent No. 3,609,934 (“O’Carroll”), U.S. Patent No. 3,994,079 (“Mirman”), U.S. Patent No. 4,663,874 (“Sano et al”) and U.S. Patent No. 5,843,329 (“Deetz”). The Examiner acknowledged that “[Holtz] does not disclose applying the magnetically receptive material in stripes as in [C]laims 3, 9 [and] 16.” However, the Examiner stated that “[O’Carroll] teaches magnetically receptive material applied in strips on one surface to be magnetically attached and strips of magnetized material applied at right angle to the other surface.” The Examiner thus concluded that “it would have been obvious to one of ordinary skill in the art that the magnetized material and magnetically receptive material could be applied in a like manner to reduce costs.”

The Examiner also acknowledged that “neither [O’Carroll] nor [Mirman] teach the use of magnetic material including barium ferrite as in [C]laims 4, 10, 16 [and] 24” However, the

Examiner stated that “Sano teaches that barium ferrite compounded with plastic and other compounding ingredients may be used to make magnetically attachable signs.” The Examiner thus concluded that “it would have been obvious to one of ordinary skill in the art that the magnetic strips of [O’Carroll] could be made of this material to reduce cost and allow for flexibility.”

The Examiner also acknowledged that “[Holtz] does not disclose details for silk screen inks that include graphite powder as in [C]laims 2, 8, 14 [and] 27 mixed in a clear carrier.” However, the Examiner stated that “most polymers are ‘clear’ and it is old in the art to include graphite in polymeric compositions to reduce static electricity generated by movement of a polymer film over a surface.”

Claims 1 and 17 are in independent form. Claims 3-5 depend from independent Claim 1. Claims 24 and 27 depend from independent Claim 17. Claims 1 and 3-5 (as amended), 17 (as amended) and 24 and 27 (as amended) recite an “apparatus for the display of information such as a graphic or image” including, among other limitations, “a base comprising an open frame.”

The subject matter recited in dependent Claims 3-5 and 24 and 27 would not have been obvious over Holtz in view of O’Carroll, Mirman or Sano under 35 U.S.C. § 103(a). Holtz discloses a “display device” including a “base having a smooth continuous mounting surface” (Column 3, lines 68-69). The combination of Holtz and O’Carroll, Mirman or Sano would not result in the subject matter recited in independent Claims 1 and 17, or corresponding dependent Claims 3-5, 24 or 27. Neither Holtz, O’Carroll, Mirman or Sano, alone or in any proper combination, teach or suggest the “display device” including a “base having a smooth continuous mounting surface.” The subject matter recited in dependent Claims 3-5, 24 and 27, considered as a whole, would not have been obvious to a person having ordinary skill in the art. The rejection of Claims 3-5, 24 and 27 over Holtz in view of O’Carroll, Mirman or Sano under 35 U.S.C. § 103(a) is improper. Therefore, Claims 3-5, 24 and 27 are patentable over Holtz in view of O’Carroll, Mirman or Sano.

Claim 2 is in independent form. Claim 2 recites an “apparatus for the display of information such as a graphic or image” including, among other limitations, “a magnetic receptive material includ[ing] a graphite powder mixed in a clear carrier liquid.”

The subject matter recited in Claim 2 would not have been obvious over Holtz in view of the “art” (the Examiner did not cite particular references disclosing the elements recited in Claim 2). The combination of Holtz with the “art” would not result in the subject matter recited in independent Claim 2. Neither Holtz nor the “art,” alone or in any proper combination, teach or suggest the “apparatus for the display of information such as a graphic or image” including, among other limitations, “a magnetic receptive material includ[ing] a graphite powder mixed in a clear carrier liquid.” The subject matter recited in Claim 2, considered as a whole, would not have been obvious to a person having ordinary skill in the art. The rejection of Claim 2 over Holtz in view of the “art” under 35 U.S.C. § 103(a) is improper. Therefore, Claim 2 are patentable over Holtz in view of the “art.”

Claim 7 is in independent form. Dependent Claims 8-12 depend from Claim 7. Claims 7-12 (as amended) recite an “apparatus for the display of information such as a graphic or image” including, among other limitations, “at least one adhesive strip.

The subject matter recited in Claims 7-12 would not have been obvious over Holtz in view of O’Carroll, Mirman or Sano. The combination of Holtz and O’Carroll, Mirman or Sano would not result in the subject matter recited in independent Claim 7, or corresponding dependent Claims 8-12. Neither Holtz, O’Carroll, Mirman or Sano, alone or in any proper combination, teach or suggest the “apparatus for the display of information such as a graphic or image” including, among other limitations, “at least one adhesive strip.” The subject matter recited in Claims 7-12, considered as a whole, would not have been obvious to a person having ordinary skill in the art. The rejection of Claims 7-12 over Holtz in view of O’Carroll, Mirman or Sano under 35 U.S.C. § 103(a) is improper. Therefore, Claims 7-12 are patentable over Holtz in view of O’Carroll, Mirman or Sano.

Claim 13 is in independent form. Dependent Claims 14-16 depend from Claim 13. Claims 13-16 recite a “method for constructing a graphics display,” including, among other limitations, “silk screening a magnetic receptive material onto a second surface of the graphics sheet opposite the first surface.”

The subject matter recited in dependent Claims 14-16 would not have been obvious over Holtz in view of O’Carroll, Mirman or Sano. Holtz discloses a method of applying a binding material “by painting, spraying, sprinkling, or by a sieve printing machine” (Column 2, lines 24-28). The combination of Holtz and O’Carroll, Mirman or Sano would not result in the subject matter recited in independent Claim 13, or corresponding dependent Claims 14-16. Neither Holtz, O’Carroll, Mirman or Sano, alone or in any proper combination, teach or suggest the “method for constructing a graphics display,” including, among other limitations, “silk screening a magnetic receptive material onto a second surface of the graphics sheet opposite the first surface.” The subject matter recited in dependent Claims 14-16, considered as a whole, would not have been obvious to a person having ordinary skill in the art. The rejection of Claims 14-16 over Holtz in view of O’Carroll, Mirman or Sano under 35 U.S.C. § 103(a) is improper. Therefore, Claims 14-16 are patentable over Holtz in view of O’Carroll, Mirman or Sano.

New Claims

Independent Claim 1 has been amended to be allowable over Holtz. New Claims 40-43 depend from Claim 1. See 35 U.S.C. § 112 ¶ 4. Accordingly, Applicant respectfully requests favorable consideration of new dependent Claims 40-43.

* * *

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

Respectfully submitted,

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EXHIBIT A

The following are marked up versions of the amended claims indicated in this Reply and Amendment and submitted in accordance with 37 C.F.R. § 1.121. Applicant has used the convention underline to indicate added text and [square brackets] to indicate deleted text.

1. (Amended) [A display system] An apparatus for the display of information such as a graphic or image comprising:

a graphics sheet having a front surface with an image and a rear surface, [said front surface including a graphic image];

a magnetic receptive material [silk screened on said] applied to the rear surface of [said graphic] the sheet; and

a base [including] comprising an open frame, the base comprising a magnetic mounting surface to which [said] the graphics sheet is releasably attached through the magnetic attraction between [said] the magnetic receptive material and [said] the magnetic mounting surface.

2. (Amended) [The display system of claim 1,] An apparatus for the display of information such as a graphic or image comprising:

a graphics sheet having a front surface and a rear surface;

a magnetic receptive material applied to the rear surface of the graphics sheet, wherein [said] the magnetic receptive material includes a graphite powder mixed in a clear carrier material; and

a base comprising a magnetic mounting surface to which the graphics sheet is releasably attached through the magnetic attraction between the magnetic receptive material and the magnetic mounting surface.

3. (Amended) The [display system] apparatus of Claim 1, wherein [said] the magnetic mounting surface includes a plurality of magnetic strips attached to [said] the base.

4. (Amended) The [display system] apparatus of Claim 1, wherein [said] the magnetic mounting surface includes a plurality of strips of material including barium ferrite.

5. (Amended) The [display system] apparatus of Claim 1, wherein [said] the base [includes] comprises a plurality of cut-outs to reduce the weight and amount of material in [said] the base.

6. (Amended) The [display system] apparatus of Claim 1, wherein [said] the base is constructed of a plastic material.

7. (Amended) [A display system] An apparatus for the display of information such as a graphic or image comprising:

a graphics sheet having a front surface and a rear surface, [said] the front surface including a graphic image;

at least one adhesive strip having a first surface affixed to [said] the rear surface of [said] the graphics sheet with adhesive, and a second opposite surface;

a magnetic receptive material [silk screened onto said] applied to the second opposite surface of [said] the adhesive strip; and

a base including a magnetic mounting surface to which [said] the graphics sheet is releasably attached through the magnetic attraction between [said] the magnetic receptive material and [said] the magnetic mounting surface.

8. (Amended) The [display system] apparatus of Claim 7, wherein [said] the magnetic receptive material includes a graphite powder mixed in a clear carrier material.

9. (Amended) The [display system] apparatus of Claim 7, wherein [said] the magnetic mounting surface includes a plurality of magnetic strips attached to [said] the base.

10. (Amended) The [display system] apparatus of Claim 7, wherein [said] the magnetic mounting surface includes a plurality of strips of material including barium ferrite.

11. (Amended) The [display system] apparatus of Claim 7, wherein [said] the base includes a plurality of cut-outs to reduce the weight and amount of material in [said] the base.

12. (Amended) The [display system] apparatus of Claim 7, wherein [said] the base is constructed of a plastic material.

17. (Amended) [A display system] An apparatus for the display of information such as a graphic or image comprising:

a base comprising an open frame;

a sheet having a first surface having a first surface treatment and a second surface, wherein the first surface treatment comprises a magnetic material applied by a screening process.

18. (Amended) The [display system] apparatus of Claim 17, wherein the second surface is configured to present a graphic or image.

19. (Amended) The [display system] apparatus of Claim 17, wherein providing the magnetic material on the first surface further comprises providing the magnetic material in at least one predetermined location on the first surface.

20. (Amended) The [display system] apparatus of Claim 17, wherein the magnetic material is applied to substantially the entire first surface.

21. (Amended) The [display system] apparatus of Claim 17, [further comprising a base] wherein the magnetic material is configured to magnetically couple to the base.

22. (Amended) The [display system] apparatus of Claim 21, further comprising a magnetic portion provided on the base.

23. (Amended) The [display system] apparatus of Claim 22, wherein the magnetic portion on the base matches a corresponding portion of magnetic material.

24. (Amended) The [display system] apparatus of Claim 22, wherein the magnetic portion includes barium ferrite.

25. (Amended) The [display system] apparatus of Claim 21, wherein the magnetic material is configured to be removably coupled to the magnetic portion.

26. (Amended) The [display system] apparatus of Claim 17, wherein the first surface is a back surface and the second surface is a front surface.

27. (Amended) The [display system] apparatus of Claim 17, wherein the magnetic material includes a graphite powder mixed in a carrier material.

28. (Amended) The [display system] apparatus of Claim 27, wherein the powder is applied within a fluid.

29. (Amended) The [display system] apparatus of Claim 17, wherein the magnetic material is provided on the first surface of the graphic sheet by a silk screening process.

30. (Amended) An apparatus for the display of information such as a graphic or image comprising:

a base comprising an open frame; and

a panel configured for magnetic coupling to the base, wherein the panel [provides a] has a first surface and a second surface, the first surface having a first surface treatment [and a second surface; and], wherein the first surface treatment is a magnetic material.

38. (Amended) [The method of Claim 37, wherein applying the magnetic material further comprises] A method of preparing a display panel having a first side and a second side, the second side being configured to receive a graphic, the method comprising:

applying a magnetic material to the first side of the panel with a screening process.

Please add new Claims 40-43.

40. (New) The apparatus of Claim 1, wherein the open frame comprises a plurality of cut-outs.

41. (New) The apparatus of Claim 41, wherein the open frame comprises a grid of slats.

42. (New) The apparatus of Claim 1, wherein the open frame comprises a plurality of reliefs.

43. (New) The apparatus of Claim 1, wherein the open frame comprises a plurality of slits.